

Tuesday, September 17, 2013

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Adam Hill, Debbie Arnold and Acting Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

Acting Chairperson Gibson: states the County building flags are half staff for those who lost their lives or were injured at the Washington D.C. Navy Yard and requests a moment of silence in memory of these people and the lives that have been touched by senseless violence at the hands of others.

Consent Agenda – Review and Approval:

1-11 & 18. This is the time set for consideration of the Consent Agenda.

Acting Chairperson Gibson: clarifies that the added item, per the addendum to the agenda, should be added under Consent not Board Business, with Mr. Dan Buckshi – County Administrator concurring. Further, opens the floor to public comment.

The action taken for Consent Agenda items 1 through 11 and 18 on the following vote is indicated for each item.

Motion by: Frank R. Mecham
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Consent Agenda - Administrative Office Items:

- 1. Request by the San Luis Obispo County Tourism Business Improvement District (CBID) to appoint Lori Keller to replace John Fairweather on the CBID Advisory Board for the remaining year of his four (4) year term.

The Board approves as recommended by the County Administrative Officer.

- 2. Submittal of a resolution approving participation in the 2013-14 State-Local Partnership Program and designating the San Luis Obispo County Arts Council as the Local Arts Planning Agency.

Mr. Eric Greening: speaks and comments on Item No. 12.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-221, adopted.

- 3. Request to approve an agreement in the amount of \$325,854 with Visit San Luis County (formerly known as the San Luis Obispo County Visitors and Conference Bureau) to provide various tourism promotion activities for FY 2013-14 and to continue to carry out the Uniquely SLO Cluster of the Economic Strategy.

Ms. Nikki Schmidt – Administration Office: replaces page 9 of 17 to the agreement.

This item is amended by replacing page 9 of 17 to the agreement to properly title the page “Exhibit A.” Further the Board approves as recommended by the County Administrative Officer and as

amended by this Board.

Consent Agenda - Auditor - Controller Items:

4. Submittal of a resolution approving FY 2013-2014 Final Budget Actions.

Ms. Teresa Andrews-Hurliman - Auditor – Controller: replaces the resolution to correct the resolution number that is being amended.

This item is amended by replacing the resolution to correct the resolution number that is being amended. The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-222, adopted as amended.

Consent Agenda - Clerk-Recorder Items:

5. Request to approve the minutes of the Board of Supervisors meetings held during the months of February through July 2013.

The Board approves as recommended by the County Administrative Officer.

6. Request for disposition and re-approval of Parcel Map CO 06-0046. District 5.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - County Fire Items:

7. Request to approve a renewal agreement between Allan Hancock Joint Community College District and San Luis Obispo County Fire to provide instruction in firefighting and related subjects.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

8. Request to approve a renewal contract (Clerk's File) with Family Care Network for FY 2013-14 in the amount not to exceed \$4,630,000 to provide various mental health services.

The Board approves as recommended by the County Administrative Officer.

9. Request to approve a resolution amending the Position Allocation List for Fund Center 166— Behavioral Health to delete two vacant positions totaling 1.50 FTE (one half-time Drug & Alcohol Specialist and one Mental Health Supervising Nurse) and add four positions totaling 3.50 FTE (one half time Mental Health Therapist, one Mental Health Nurse Practitioner and two Mental Health Program Supervisors).

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-223, adopted.

Consent Agenda Public Works - Board Sitting as Flood Control District:

10. Request to approve an agreement for professional engineering services with Cannon in the amount of \$99,740 to design, install, integrate and program the Lopez Turnouts Supervisory Control and Data Acquisition (SCADA) System; and authorize the Director of Public Works to sign amendments in an amount not to exceed \$10,000. Districts 3 and 4.

The Board approves as recommended by the County Administrative Officer.

11. Request to approve the appointment of Carlyn Christianson, member and John Ashbaugh, alternate,

for the San Luis Obispo City Council representative position on the Zone 9 Advisory Committee (San Luis Obispo Creek Watershed). Districts 2, 3, 4, and 5.

The Board approves as recommended by the County Administrative Officer.

Added Item:

- 18.** Request to approve SB81 State construction agreements and funding certificates for the Juvenile Hall Expansion Project, including the State Project Delivery and Construction Agreement (Clerk’s File), the Board of State and Community Corrections (BSCC) Construction Agreement (Clerk’s File), the Certificate for County Cash Match Funding (Clerk’s File), and the Certificate for Other County Funding (Clerk’s File) to allow the project to move through the State lease bond process.

(This item was added, per the addendum to the agenda. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Acting Chairperson Gibson: clarifies that this item should be added under Consent not Board Business, with Mr. Dan Buckshi – County Administrator concurring.

This item is amended by adding it under Consent not Board Business. Further the Board approves as recommended by the County Administrative Officer and as amended by this Board.

Presentations:

- 12.** Submittal of a resolution proclaiming Saturday, September 21, 2013 as “San Luis Obispo County Creek Day”.

Ms. Sarah Paddock: speaks.

RESOLUTION NO. 2013-224, a resolution proclaiming Saturday, September 21, 2013 as “San Luis Obispo County Creek Day”, adopted.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 13.** Submittal of a resolution proclaiming October 2013 as “Energy Awareness Month” in San Luis Obispo County.

Mr. Trevor Keith and Ms. Aeron Arlin-Genet: speak.

RESOLUTION NO. 2013-225, a resolution proclaiming October 2013 as “Energy Awareness Month” in San Luis Obispo County, adopted.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Public Comment Period:

14. This is the time set for members of the public to address the Board on matters that are not scheduled on the current agenda.

Ms. Martha Goldin: speaks to the Affordable Care Act and presents a flyer announcing the 4th Annual Margaret Mehring Forum on September 22, 2013 at the Los Osos South Bay Community Center from 1:00 PM to 3:30 PM.

Ms. Laura Mourdant; Ms. Elsa Dawson; Mr. Mike Brown - Coalition of Labor, Agriculture and Business (COLAB); Mr. Edward Veek (document); and Mr. Bill Pelfrey: address issues regarding International Council for Local Environmental Initiatives (ICLEI) and the Resilient Communities for America agreement; and request this matter be placed on the agenda.

Mr. Eric Greening: comments on the Trans-Pacific Partnership and urges opposition on this matter; and discusses the upcoming State Lands Commission meeting regarding the certification of a mitigated negative declaration on low energy seismic studies.

Ms. Julie Tacker; Mr. Ben DiFatta; Ms. Linde Owen (photographs); and Mr. Richard Margetson: address various issues regarding the Los Osos Wastewater Project (LOWWP).

Supervisor Arnold: asks if the Board is willing to hold a public presentation to address the public's questions and concerns regarding ICLEI policy movement and the de-watering issues relative to the LOWWP, with Board Members responding. Further, Mr. Paavo Ogren, responds to various LOWWP concerns and presents and discusses a letter from the Los Osos Community Services District (LOCS D) to the Central Coast Regional Water Quality Control Board regarding surface water discharge and a photograph of the Los Osos Groundwater Basin cross-section.

Board Business:

15. Submittal of the Fiscal Year 2012-13 Year End Financial Status Report.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board: receives, reviews, and files the FY 2012-13 Year End Financial Status Report; accepts cash donations in the amount of \$6,100.35 for Animal Services to fund medical care costs and increased adoption of sheltered animals; accepts cash donations and approves a budget adjustment in the amount of \$54,256 from the Library’s Gift Trust Fund to the Fund Center 377 - Library operating budget; accepts cash donations in the amount of \$221,797.50 and an appropriation transfer in the amount of \$31,797.50 from the Park’s Gift Trust Fund to the Fund Center 305 - Parks operating budget; approves a budget adjustment in the amount of \$650 from the Social Services Gift Trust Fund to Fund Center 180 - Social Services Administrative operating budget to purchase special services for children and adults; accepts three (3) iPads valued at approximately \$532 each and two (2) gift cards valued at \$100 each, for a total value of \$1,796, to be used in therapy for special needs children in the Health Agency-California Children Services/Medical Therapy program; approves a budget adjustment in the amount of \$22,950 of funding from Library Atascadero Building Expansion Designation and the Library’s trust fund to the Atascadero Library Expansion Project budget on behalf of the Atascadero Friends of the Library; approves a request from the Department of Social Services for relief from accountability for uncollectable debt in the amount of \$40,232.42; and approves the creation of a new designation, New Government Center Repairs, within Fund Center 230 – Capital Projects and approves a budget adjustment in the amount of \$2,500,000 from the Judgment Damages Settlement trust account to the New Government Center Repairs capital project in the amount of \$1,986,400 and to the General Government Building Replacement designation in the amount of \$513,600.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			

Arnold, Debbie (Board Member)	x			
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16. Request Board approval of findings to expend funds and enter into an agreement for the Inguito Nuisance Abatement - Resolution No. 2013-184. District 1.

Mr. Art Trinidad- Planning and Building Department: presents an addendum of proposals that staff has chosen to be the most cost effective.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board adopts the findings in Exhibit A and order approving the expenditure of funds for abatement costs by the Planning and Building Department in Exhibit B.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Closed Session Items:

17. The Board announces they will be going into Closed Session regarding:
- I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:
 - A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. In re Los Osos Community Services District (Bankruptcy); 2. North County Watch v. County of San Luis Obispo (Santa Margarita Ranch Subd., CV098031); 3. In Re OSHA No.Y0393.
 - B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 4. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 5. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.
 - II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code ' 54957.6.)
 - A. It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator Tami Douglas-Schatz concerning the following: Name of employee organizations are: 6. SLOCEA-Public Services, Supervisors, Clerical; 7. Deputy Sheriff’s Association; 8. DAIA; 9. SLOCPMPOA; 10. DCCA; 11. SLOGAU; 12. Sheriffs’ Management; 13. SLOCPPOA.
 - B. It is the intention of the Board, sitting as the Governing Board of the San Luis Obispo County In Home Support Services Public Authority, to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: Name of employee organization: 14. United Domestic Workers.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Julie Tacker: speaks.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts,

does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, September 17, 2013, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: September 17, 2013